

REMARKS

Claims 1-14 have been rejected under 35 USC 103(a) as unpatentable over Leleu in view of Hill. The rejection is respectfully traversed.

Leleu discloses a device used for billing and payment for data transmission in a network. The device can insert, within the control structure associated with a data packet in a data transmission network, a token including a toll unit credit, and can initiate an electronic or physical machine-executed operation after having authenticated and debited the credit associated with the token belonging to a packet. While Leleu does disclose a telephone network, for example, at col. 6, lines 25-45, this network is only described to the extent that the central network is the Internet and external networks may be a telephone network. That is, Leleu does not disclose the network the controls the voice data as a telephone network. Contrary to the prior art, the claimed invention (as amended) require, for example, that a telephone network employs a circuit-switched transmission network including exchanges which control and allocate network resources. Hill also fails to disclose this feature.

Moreover, the reference is directed solely to sending a token over the Internet for charging purposes. This is a completely different field of technology than charging for use of voice services over a telephone network. Additionally, there is no reason why one of ordinary skill in the art would employ a charge metering scheme in a situation where control and allocation of network resources are controlled by exchanges. Indeed, this is exactly what the present invention is seeking to avoid- namely, multiple exchanges controlling network resources to provide charge metering.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 449122020100. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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